

Worksheet
Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

AZ-040-2005-0004

U.S. Department of the Interior
Bureau of Land Management (BLM)

Note: This worksheet is to be completed consistent with the policies stated in the Instruction Memorandum entitled “Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy” transmitting this worksheet and the “Guidelines for Using the DNA Worksheet” located at the end of the worksheet. (Note: The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM’s internal analysis process and does not constitute an appealable decision.)

A. BLM Office: Safford **Lease/Serial/Case File No.** None assigned at time of request

Proposed Action Title/Type: A determination to see if six parcels can be offered for competitive oil and gas leasing.

Location of Proposed Action: In Apache County, near Concha, Arizona. Each parcel consists of all federal minerals within a particular section. See Attachment 1, Locality Map. The legal descriptions of the parcels are:

T. 12 N., R. 24 E., Section 14, all
T. 12 N., R. 25 E., Section 18, all
T. 12 N., R. 26 E., Section 8, S1/2N1/2, NE1/4SE1/4, S1/2SW1/4, and SE1/4
T. 12 N., R. 26 E., Section 18, Lots 1, 2, 5-7 inclusive, SW1/4NE1/4, and SE1/4
T. 12 N., R. 26 E., Section 20, all
T. 14 N., R. 24 E., Section 14, all

Each parcel consists of a privately owned surface estate with a federally owned mineral estate.

Description of the Proposed Action: The BLM Arizona State Office (ASO) received Expressions of Interest for leasing the federal minerals described above, and in December, 2003 requested the Safford Office determine if the lands can be offered, with or without special stipulations. Determinations for the three parcels outside of T. 12 N.- R. 26 E. were also requested in 2001 or 2002. In each case determinations were made that they could be offered for leasing without special stipulations. These were done in a memorandum format however, without developing a DNA to document the determination process. Attachment 2 is a copy of our memorandum, as well as the requests from the ASO. The purpose of this DNA is to document in the proper format the determination that the parcels can be offered for lease without special stipulations, as called for by BLM Instruction Memorandum 99-204. Leasing the minerals does not serve as authorization for any ground disturbing activities, and so no site-specific clearances are necessary at this point.

Applicant (if any): The High Plains Petroleum Corporation sent the Expressions of Interest to the ASO.

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name* Phoenix District Resource Management Plan Date Approved 6/92

LUP Name*	_____	Date Approved
Other document**	_____	Date Approved
Other document**	_____	Date Approved
Other document**	_____	Date Approved

*List applicable LUPs (e.g., Resource Management Plans or applicable amendments).

**List applicable activity, project, management, water quality restoration, or program plans.

: The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions: According to the Phoenix RMP, the parcels are not in a special management area, such as Wilderness Area, Wilderness Study Area, Area of Critical Environmental Concern, Resource Conservation Area, or an area targeted for possible inclusion into the Petrified Forest National Park. The RMP states on page 14 that constraints on surface use for leasable minerals activity are recommended only for such special management areas, and that all lands in the RMP area are to be open to mineral leasing. The RMP states further, "Should exploration and/or development of leasable resources be pursued during the life of this RMP, special stipulations will be incorporated into the lease agreement after the results of site-specific environmental assessments for each action are known." The Phoenix RMP is the current LUP to be relied on.

9 The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) and, if applicable, implementation plan decisions:

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Phoenix RMP, 12/88

List by name and date other documentation relevant to the proposed action (e.g., source drinking water assessments, biological assessment, biological opinion, watershed assessment, allotment evaluation, rangeland health standard's assessment and determinations, and monitoring the report).

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Yes

Documentation of answer and explanation:

Oil and gas leasing is an ongoing activity. There have been no changes in the mineral leasing laws that would affect the procedure in place when the Phoenix RMP was finalized in 1988.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances? Yes

Documentation of answer and explanation:

No new environmental concerns, interests, etc. are known that would impact the germane aspects of the RMP such that new alternatives would need to be considered.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action? Yes.

Documentation of answer and explanation:

No ongoing appeals of the RMP. No new concerns with cultural or wildlife resources known that would affect parcels. Archaeologist Anna Rago notes that tribal consultation is adequate for the RMP. Wildlife biologist Doug Powers was approached about this proposed leasing and said the week of November 1, 2004 that there are no new sensitive (T&E, candidate, etc.) species that would affect the conclusions of the RMP, and he therefore had no concerns. Environmental Justice is not a concern due to the relative insignificance of the proposed action compounded with the remoteness of the area. Site-specific concerns about other resources such as invasive weeds would be addressed whenever site-specific ground disturbances are known.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action? Yes.

Documentation of answer and explanation:

RMP still valid and serves as our current plan; no significant changes in oil and gas exploration methods over the past 15 years.

5. Are the direct and indirect impacts of the current proposed action substantially

unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action? Yes

Documentation of answer and explanation:

Impacts are the same because the mineral leasing program and the field methods for fluid leasable minerals remain the same. If the RMP did not sufficiently analyze environmental impacts, its ROD would not have been signed; that analysis remains valid due to the unchanging procedures and methods.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)? Yes.

Documentation of answer and explanation:

Impacts are not significant, with none occurring on the ground. The RMP noted that cumulative impacts were not a concern, and there are no new significant impacts occurring in the area.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? Yes

Documentation of answer and explanation:

The RMP went through a great deal of public and interagency involvement, and no concerns were ever noted about leasing minerals for lands outside the special management areas.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Larry Thrasher	Geologist/Hazmat Coordinator	Mining, Hazmat
Doug Powers	Wildlife Biologist	Wildlife
Anna Rago	Archaeologist	Cultural
Marlo Draper	Planning Coordinator	NEPA Compliance

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

As discussed, the Phoenix RMP states that constraints for oil and gas leasing are not recommended for areas such as these located outside of special management areas. And no need for them was found in this review.

CONCLUSION

- ☐ Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

Note: If one or more of the criteria are not met, a conclusion of conformance and/or NEPA adequacy cannot be made and this box cannot be checked

/s/ Thomas Schnell (Acting)
Signature of the Responsible Official

11/24/04
Date

Attachments:

- I. Locality Map
- II. Correspondence with BLM Arizona State Office